

By: Huffman, et al.
(Price, Coleman)

S.B. No. 292

Substitute the following for S.B. No. 292:

By: Price

C.S.S.B. No. 292

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a grant program to reduce recidivism,
arrest, and incarceration of individuals with mental illness.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 531, Government Code, is
amended by adding Section 531.0993 to read as follows:

Sec. 531.0993. GRANT PROGRAM TO REDUCE RECIDIVISM, ARREST,
AND INCARCERATION AMONG INDIVIDUALS WITH MENTAL ILLNESS AND TO
REDUCE WAIT TIME FOR FORENSIC COMMITMENT. (a) For purposes of this
section, "low-income household" means a household with a total
income at or below 200 percent of the federal poverty guideline.

(b) The commission shall establish a program to provide
grants to county-based community collaboratives for the purposes of
reducing:

(1) recidivism by, the frequency of arrests of, and
incarceration of persons with mental illness; and

(2) the total waiting time for forensic commitment of
persons with mental illness to a state hospital.

(c) A community collaborative may petition the commission
for a grant under the program only if the collaborative includes a
county, a local mental health authority that operates in the
county, and each hospital district, if any, located in the county.

A community collaborative may include other local entities
designated by the collaborative's members.

1 (d) The commission shall condition each grant provided to a
2 community collaborative under this section on the collaborative
3 providing funds from non-state sources in a total amount at least
4 equal to:

5 (1) 50 percent of the grant amount if the
6 collaborative includes a county with a population of less than
7 250,000;

8 (2) 100 percent of the grant amount if the
9 collaborative includes a county with a population of 250,000 or
10 more; and

11 (3) the percentage of the grant amount otherwise
12 required by this subsection for the largest county included in the
13 collaborative, if the collaborative includes more than one county.

14 (d-1) To raise the required non-state sourced funds, a
15 collaborative may seek and receive gifts, grants, or donations from
16 any person.

17 (d-2) From money appropriated to the commission for each
18 fiscal year to implement this section, the commission shall reserve
19 40 percent of that total to be awarded only as grants to a community
20 collaborative that includes a county with a population of less than
21 250,000.

22 (e) For each state fiscal year for which a community
23 collaborative seeks a grant, the collaborative must submit a
24 petition to the commission not later than the 30th day of that
25 fiscal year. The community collaborative must include with a
26 petition:

27 (1) a statement indicating the amount of funds from

1 non-state sources the collaborative is able to provide; and

2 (2) a plan that:

3 (A) is endorsed by each of the collaborative's
4 member entities;

5 (B) identifies a target population;

6 (C) describes how the grant money and funds from
7 non-state sources will be used;

8 (D) includes outcome measures to evaluate the
9 success of the plan; and

10 (E) describes how the success of the plan in
11 accordance with the outcome measures would further the state's
12 interest in the grant program's purposes.

13 (f) The commission must review plans submitted with a
14 petition under Subsection (e) before the commission provides a
15 grant under this section. The commission must fulfill the
16 commission's requirements under this subsection not later than the
17 60th day of each fiscal year.

18 (g) For each petition timely submitted and containing the
19 statement and plan required by Subsection (e), the commission shall
20 estimate the number of cases of serious mental illness in
21 low-income households located in the county included in the
22 community collaborative that submitted the petition. The
23 commission must fulfill the commission's requirements under this
24 subsection not later than the 60th day of each fiscal year.

25 (h) For each state fiscal year, the commission shall
26 determine an amount of grant money available for the program on a
27 per-case basis by dividing the total amount of money appropriated

1 to the commission for the purpose of providing grants under this
2 section for that fiscal year by the total number of the cases
3 estimated under Subsection (g) for all collaboratives to which the
4 commission intends to provide grants under this section. The
5 commission must fulfill the commission's requirements under this
6 subsection not later than the 60th day of each fiscal year.

7 (i) Not later than the 90th day of each fiscal year, the
8 commission shall make available to a community collaborative
9 receiving a grant under this section a grant in an amount equal to
10 the lesser of:

11 (1) the amount determined by multiplying the per-case
12 amount determined under Subsection (h) by the number of cases of
13 serious mental illness in low-income households estimated for that
14 collaborative under Subsection (g); or

15 (2) the collaborative's available matching funds.

16 (j) Acceptable uses for the grant money and matching funds
17 include:

18 (1) the continuation of a mental health jail diversion
19 program;

20 (2) the establishment or expansion of a mental health
21 jail diversion program;

22 (3) the establishment of alternatives to competency
23 restoration in a state hospital, including outpatient competency
24 restoration, inpatient competency restoration in a setting other
25 than a state hospital, or jail-based competency restoration;

26 (4) the provision of assertive community treatment or
27 forensic assertive community treatment with an outreach component;

1 (5) the provision of intensive mental health services
2 and substance abuse treatment not readily available in the county;

3 (6) the provision of continuity of care services for
4 an individual being released from a state hospital;

5 (7) the establishment of interdisciplinary rapid
6 response teams to reduce law enforcement's involvement with mental
7 health emergencies; and

8 (8) the provision of local community hospital, crisis,
9 respite, or residential beds.

10 (j-1) To the extent money appropriated to the commission to
11 implement this section for a fiscal year remains available to the
12 commission after the commission selects grant recipients for the
13 fiscal year, the commission shall make grants available using the
14 money remaining for the fiscal year through a competitive request
15 for proposal process, without regard to the limitation provided by
16 Subsection (d-2).

17 (k) Not later than the 90th day after the last day of the
18 state fiscal year for which the commission distributes a grant
19 under this section, each community collaborative that receives a
20 grant shall prepare and submit a report describing the effect of the
21 grant money and matching funds in achieving the standard defined by
22 the outcome measures in the plan submitted under Subsection (e).

23 (l) The commission may make inspections of the operation and
24 provision of mental health services provided by a community
25 collaborative to ensure state money appropriated for the grant
26 program is used effectively.

27 SECTION 2. This Act takes effect September 1, 2017.